REMARKS

This Amendment is submitted in response to the Official Letter dated February 10, 2006. Claims 1, 4 through 6, 9, 23 though 25 and 32 have been amended. Claims 2, 3, 26 and 27 have been cancelled. The application now includes claims 1, 4 through 25 and 28 through 32. Favorable reconsideration of the application, as amended, is respectfully requested.

In the Official Letter, the Examiner stated that claims 1 through 25 and 28 through 32 are pending; but that the Preliminary Amendment filed on April 2, 2006, does not comply with the requirements of 37 C.F.R. §1.121(c), because line 1 of new claim 32 contained markings. Applicant has amended claim 32 to delete the objected to marking and respectfully requests that the Examiner excuse the inadvertent typographical error in the originally submitted claim 32.

In the Official Letter, the Examiner objected to claims 1 through 24 and 28 through 31 due to certain informalities. Applicant has amended independent claim 1 to address the Examiner's comments and respectfully requests that the Examiner withdraw his objection to the claims.

In the Official Letter, the Examiner also rejected claims 6 through 10, 23, 24 and 28 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has amended claims 6, 9, 23 and 24 to address specific comments of the examiner and respectfully requests that the Examiner withdraw his rejection of the claims under 35 U.S.C. §112, second paragraph.

In the Official Letter, the Examiner further rejected independent claims 1, 25 and 32 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,862,508 Akiyama et al. The Examiner stated that applicant can not rely upon the foreign priority papers to overcome the rejection because a translation of the papers has not been made of record in accordance with 37 C.F.R. §1.55. Applicant has enclosed a Transmittal of Verified English Translation of Priority Application that includes a signed statement by the translator that the document is a true and complete translation of German Patent Application No. 103 15 662.3, the foreign patent application to which priority was claimed on the Inventor's Declaration. The filing date for German

Patent Application No. 103 15 662.3 is April 4, 2003, which precedes the filing date of October 17, 2003 of the Akiyama et al. '508 Patent. Therefore, the present application antedates the Akiyama et al. '508 Patent and the Akiyama et al. '508 Patent can not be cited as anticipating the present application. Accordingly, applicant respectfully requests that the Examiner withdraw his rejection of independent claims 1, 25 and 32 under 35 U.S.C. §102(e).

In the Official Letter, the Examiner rejected independent claims 1, 25 and 32 under 35 U.S.C. §103(a) as being unpatentable over applicant's admission of prior art in view of US Patent No. 6,446,998 to Koenig et al. The Examiner stated that applicant's admitted prior art describes known electronic systems found in modern vehicles and that these systems communicate over an electronic communications system. The Examiner also stated that the Koenig et al. reference discloses a motor vehicle/trailer combination that uses at least braking and engine control to stabilize the operation of the vehicle/trailer. The Examiner then concluded that one of ordinary skill would have found it obvious to utilize the teachings of the Koenig et al. reference with the control systems of the admitted prior art because it would have improved stability.

Applicant has amended independent claim 1 to recite automatically controlling the operating conditions of a vehicle unit through the cooperation of at least two of the systems in the group of the electronic braking system (EBS), the electronic engine output control system (EMS), the electronic drive-train control system (ASS) and the electronic steering system (ELS). Applicant has further amended independent claim to recite that the control is such that when the vehicle unit achieves an operating condition "stop on an incline or a decline", at least one of the electronic engine output control system (EMS), the electronic drive-train control system (ASS) and the electronic braking system (EBS) holds the vehicle unit stationary.

Applicant believes that the Koenig et al. reference discloses, in column 1, lines 5 through 10, a device for determining a distance of a motor vehicle 1 from an object located behind the motor vehicle, in particular a trailer 2 towed by the motor vehicle 1. The Koenig et al. reference also discloses that a control unit 14 of the device receives

two sensor signals indicating the distance between the motor vehicle 1 and the trailer 2 at two different specific locations and the velocity of the motor vehicle 1. As described from column 4, line 48 through column 5, line 3, of the Koenig et al. reference, the control unit 14 utilizes these sensor signals to determine whether the vehicle/trailer combination threatens to become unstable. If the control unit 14 determines that a non-subsiding instability is present, braking and/or interventions are implemented to stabilize the vehicle/trailer combination, as described in column 6, lines 55 through 62 of the Koenig et al. reference.

As described above, applicant has amended independent claim 1 to recite when the vehicle unit achieves an operating condition "stop on an incline or a decline", at least one of the electronic engine output control system (EMS), the electronic drive-train control system (ASS) and the electronic braking system (EBS) holds the vehicle unit stationary. Nothing in the Koenig et al. reference shows or suggests holding a vehicle unit stationary on an incline or a decline. Instead, the Koenig et al. reference is directed toward decreasing instability for a moving vehicle/trailer combination. Indeed, by teaching a corrective action for a moving vehicle/trailer combination, applicant believes that the Koenig et al. reference actually teaches away from the process recited in claim 1 for holding a vehicle stationary. Because the Koenig et al. reference teaches away from the recited process, combining the Koenig et al. reference with the admitted prior art will not result in the recited process. Accordingly, applicant believes that amended independent claim 1 is patentable over the Koenig et al. reference and respectfully requests that the Examiner withdraw his rejection of the claim.

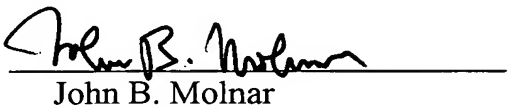
Applicant has amended independent claims 25 and 32 in manner similar to the amendment of independent claim 1. Therefore, for the reasons given above, applicant also believes that claims 25 and 32 are patentable over the Koenig et al. reference and respectfully requests that the Examiner withdraw his rejection of the claims.

Claims 4 through 24 and 28 through 31 are dependent upon amended independent claim 1 and therefore include all of the limitations recited therein. Accordingly, for the reasons given above, applicant also believes that claims 4 through

24 and 28 through 31 are patentable over the prior art and respectfully request that the Examiner allow the claims.

In view of the amendments and above remarks, it is believed that the application is in condition for allowance.

Respectfully submitted,



John B. Molnar
Reg. No. 31,914

Enclosure

MacMillan, Sobanski & Todd, LLC
One Maritime Plaza, Fourth Floor
720 Water Street
Toledo, Ohio 43604
(419) 255-5900